(v) Selection of candidates will be made strictly on the basis of academic merit.

(vi) Bank guarantee for the required amount for providing additional infrastructural facilities.

(2) *For increasing admission capacity:*

In addition to the conditions mentioned above, the applicant intending to increase admission capacity has to furnish following documents also:—

(i) The existing Dental College is in possession of minimum 5 acres of land with required constructed area as per the provisions of Regulations.

(ii) Adequate hostel accommodation for boys/girls/staff available.

The organisations/dental colleges after fulfilling the above criteria applies to the Central Govt. for its permission as per Section 10A of the Dentists (Amendment) Act, 1993 and Regulations framed thereunder. If found complete in all respects, the Central Government forwards the scheme to DCI for evaluation and recommendation. After taking into consideration the recommendations of the DCI, the inspection report and the scheme submitted by the applicant including availability of teaching and non-teaching staff as per norms or such other information as may be required, the Central Govt. issues Letter of intent usually with the following conditions:—

(1) The teaching and non-teaching staff is available as per Dental Council of India norms.

(2) The applicant has a feasible and time bound programme to provide additional equipments and infrastructural facilities, as per Dentral Council of India norms.

(3) The applicant will provide a performance bank guarantee of required sum in favour of Dental Council of India.

(4) Any other condition depending upon the requirements of the particular case.

After the above conditions are accepted/ fulfilled by the applicant and the bank guarantee is furnished, the Letter of Permission is issued.

संसद सदस्य स्थानीय क्षेत्र विकास योजना के अन्तर्गत निधियों का उपयोग

*38. **श्री ईश दत्त यादव :**
श्री नागमणि :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि संसद सदस्य स्थानीय क्षेत्र विकास योजना के अन्तर्गत प्रदान की गई निधियों में बरती गई अनियमितताओं की शिकायतों के बावजूद किसी भी अधिकारी के विरुद्ध कोई कार्यवाही नहीं की गई है;

(ख) यदि हां, तो इस संबंध में सरकार की प्रतिक्रिया क्या है; और

(ग) यदि नहीं, तो ऐसे अधिकारियों की राज्य-वार संख्या कितनी-कितनी है जिनके विरुद्ध उक्त शिकायतों के आधार पर विगत तीन वर्षों में कार्यवाही की गई है?

योजना और कार्यक्रम कार्यान्वयन मंत्रालय में राज्य मंत्री (श्रीमती रत्नमाला देहरेश्वर सवनूर) (क) से (ग) : सांसद स्थानीय क्षेत्र विकास योजना के अंतर्गत निधियों के उपयोग में कथित अनियमितता के संबंध में कुछ शिकायतें प्राप्त हुई हैं। जब भी इस तरह की शिकायतें मिलती हैं, राज्य सरकार के संबंधित अधिकारियों से उसके बारे में रिपोर्ट मंगवाई जाती है और उन अधिकारियों को आवश्यक सुधारात्मक उपाय करने की सलाह दी जाती है। सांसद स्थानीय क्षेत्र विकास योजना का कार्यान्वयन जिला प्रमुखों के जरिए करवाया जाता है। चूंकि जिला प्रमुख राज्य सरकार के प्रशासनिक नियंत्रण में होते हैं, अत: राज्य सरकारें ही उपर्युक्त अधिकारियों के विरुद्ध कार्रवाई, यदि कोई की जानी हो, करने के वास्ते सक्षम प्राधिकारी होती है।

Release of seamen held by Taiwanese Authorities

*39. DR. Y. LAKSHMI PRASAD:
SHRI K.M. SAIFULLAH:

Will the PRIME MINISTER be pleased to state:

(a) whether the Captain and a mate of the Indian Merchant Navy Vessel, Kasuga-II, which collided with a Taiwanese fishing boat, have been put behind bars by Taiwanese authorities since February 5, 1997;

(b) whether their detention is illegal as it violates the Convention on the Law of Sea, 1982;

(c) whether Government have received petitions from the families of these seafaring Indians to bring them back to India; and

(d) the efforts made by Government in this direction and by when these seamen are expected to be brought back?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SALEEM IQBAL SHERWANI): (a) to (d) A merchant navy vessel, MV Kasuga-II, registered in Panama and being managed by Univan Ship Management Limited, Hongkong, was involved in a collision with a Taiwanese fishing boat on 5 February, 1996 and 17 nautical miles off the coast of Taiwan. Only one of the twenty nine crew members on the fishing vessel was reported to have survived — four crew members were killed and twenty four others reported missing. All twenty nine crew members of MV Kasuga-II were detained for questioning by the Taiwanese authorities when it reached the port of Keelung. On 17 February 1996, twenty six of these twenty nine crew members were released. The Captain of the ship, Captain Rajkumar Goel, the Third Officer Shri Yoganarasimha Dodla and the Quarter Master Shri Aravind Kumar V. Tandel were charged with the offence of abandonment under Article 294 of the Code of Criminal Procedure of Taiwan. The case was tried by the Keelung District Court. In its judgement delivered on 19th July, 1996 the Court acquitted Shri Aravind Kumar V. Tandel and sentenced Captain Goel and Shri Dodla to 4½ years imprisonment.

The Univan Ship Management Company appealed against the judgement to the High Court in Taiwan. In its judgement on 30 September, 1997, the High Court upheld the judgement of the Keelung District Court but reduced the sentence of imprisonment in respect of both Captain Goel and Shri Dodla to 4 years.

As is known, the Government of India does not recognise the so-called Republic of China on Taiwan nor does it have diplomatic relations with that entity. In the framework of our one-China policy, Government are taking steps to promote trade, investment and tourism with Taiwan. A non-official body called India-Taipei Association has been set up which maintains an office in Taipei, Taiwan. Through the good offices of the India-Taipei Association in Taipei, contact was maintained with the Captain and other crew members of MV Kasuga-II throughout the period of their detention and the court proceedings. The Director General of the India-Taipei Association office in Taipei as also other representatives of that office attended the court proceedings in person and otherwise rendered necessary assistance to the Indian crew members. Messrs Univan Ship Management Company were in direct touch with the Directorate General of Shipping, Ministry of Surface Transport, Government of India in regard to the substantive aspects of the case since this is the subject matter of the Directorate General of Shipping.

Taiwan is not a signatory to the Law of the Seas Treaty of 1982. At the trial stage, however, a plea was made that the Taiwanese Court did not have jurisdiction over the case since the incident took place beyond the territorial waters of 12 nautical miles. The Court considered this plea and decided that "according to the passive nationality principle and the objective territorial principle", Taiwan has jurisdiction over this case. The court also held that the deaths took place in the territory of Taiwan and in terms of Article 3 and Article 4 of its Criminal Code, Taiwanese authorities had jurisdiction in the matter.

Government have received a petition from Messrs Univan Ship Management Company seeking Government's assistance in getting these two persons released. In view of the fact that the matter has been dealt with by a Court of Law, one possible course of action available to the management company is to seek a review by the High Court of its judgement. The return to India of the two seamen will depend upon the decision of the High Court in case a plea of this nature is accepted by the High Court.

Implementation of National Child Labour Programme

*40. SHRI JALALUDIN ANSARI:
SHRI J. CHITHARANJAN:

Will the Minister of LABOUR be pleased to state:

(a) whether the Rs. 850 crore National Child Labour Programme announced by the then Prime Minister from the ramparts of Red Fort on Independence Day in 1994 has been implemented;